



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

April 25, 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John Grotta
The John Grotta Company
1300 I Street, NW
Washington, DC 20005

RE: MUR 3774

Dear Mr. Grotta:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission has issued the attached subpoena which requires you to appear and give sworn testimony on May 30, 1997, at 999 E Street, NW, Washington, DC, Sixth Floor, and which requires you to produce certain documents, in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

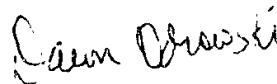
You may consult with an attorney and have an attorney present with you at the deposition. You may also have an attorney assist you in the preparation of your responses to this subpoena. If you intend to be so represented, please advise us of the name and address of your attorney prior to the date of the deposition. However, you are required to submit the information within 30 days of your receipt of this subpoena.

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Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$40.00 plus mileage. Subsequent to the deposition, you will be sent a check for the witness fee and mileage.

Within two days of your receipt of this notification, please confirm your scheduled appearance with me at (202) 219-3400.

Sincerely,



Dawn Odrowski
Attorney

Enclosure
Subpoena

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 3774

SUBPOENA

TO: John Grotta
The John Grotta Company
1300 I Street, NW
Washington, DC 20005

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas you to appear for deposition with regard to services you and/or your company provided to certain organizations in 1992. Notice is hereby given that the deposition is to be taken on May 30, 1997, at 999 E Street, NW, Washington, DC, Sixth Floor, beginning at 9:00 a.m. and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents listed on the attachment to this subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, NW, Washington, DC 20463, by close of business on May 15, 1997.


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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his
hand in Washington, D.C. on this *25th* day of April, 1997.

For the Commission,


John Warren McGarry
Chairman

ATTEST:


Marjorie W. Emmons
Secretary to the Commission

Attachment
Document Request

INSTRUCTIONS

In answering this request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

If, after exercising due diligence to locate all documents responsive to a request in this subpoena, you are unable to locate any such documents, please provide a written statement to this effect at the time you produce documents responsive to other requests in the subpoena. The statement should describe what actions you took in attempting to locate responsive documents.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1992 to January 1, 1993.

The following requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation, if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named person to whom these discovery requests are addressed personally and doing business as The John Grotta Company.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to, books, letters, contracts, notes, faxes, electronic mail, calendars, diaries, log sheets, records of telephone communications, fax logs, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, facsimiles, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained. For all types of documentary records requested, of any of these records are maintained on any storage format for computerized information (e.g., hard drive, floppy disk, CD-ROM), provide copies of the records as maintained on that storage format in addition to hard (i.e. paper) copies.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

DOCUMENT REQUESTS

1. Produce all documents that in any way contain, or refer or relate to, any and all communications or meetings in 1992 between you and/or other representatives of The John Grotta Company and the following persons and organizations concerning consulting services, direct mail services, list development services, or other services relating to get-out-the-vote programs or voter identification programs or other federal election activities.

a. Any officer, director, employee, volunteer or consultant of the American Defense Foundation and/or the American Defense Institute, including, but not limited to, Eugene "Red" McDaniel, Michael McDaniel, John Isaf and Wes Anderson.

b. Any officer, director, employee, volunteer or consultant of the National Right to Life Committee, including, but not limited to, David O'Steen, Darla St. Martin, Carol Long, and Jacki Ragan.

c. Any officer, director, employee, volunteer or consultant of the National Republican Senatorial Committee, including, but not limited to Paul Curcio, Curt Anderson, and Jeb Hensarling.

- d. Dirk Kempthorne and any officer, employee, volunteer or consultant of his 1992 U.S. Senate campaign.
- e. Robert Packwood and any officer, employee, volunteer or consultant of his 1992 U.S. Senate campaign.

2. Produce all documents that in any way contain, or refer or relate to, consulting services, direct mail services, list development services, or other paid services relating to federal elections provided by you and/or The John Grotta Company to the following organizations in 1992:

- a. American Defense Foundation and the American Defense Institute
- b. The National Right to Life Committee
- c. The National Republican Senatorial Committee
- d. Dirk Kempthorne and his 1992 U.S. Senate campaign committee
- e. Robert Packwood and his 1992 U.S. Senate campaign committee

Such documents shall include, but not be limited to, contracts or other written agreements, billing statements, invoices, correspondence, candidate questionnaires and direct mail materials.